

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P14-1157 / Conditional Use Permit
5959 W. Las Positas Blvd
The Quarry Lane School (Tutoring Center)**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. There shall be a 10-15-minute break between each session to allow for adequate drop-off and pick-up parking. The tutoring center shall submit a revised schedule for the tutoring center for review and approval by the Director of Community Development and the City Traffic Engineer prior to operation. Should the tutoring center wish to further alter/deviate from the approved schedule after operation, review and approval from the Director of Community Development and the City Traffic Engineer shall be required prior to altering/deviating from the schedule.
2. Should parking or on- or off-site traffic/circulation problems occur, as determined by the Director of Community Development, the applicant shall revise the tutoring session schedule to resolve the problem(s) to the satisfaction of the Director of Community Development. If necessary, the Director of Community Development may refer the conditional use permit application to the Planning Commission for review and possible modification.
3. If additional hours of operation, number of students or staff, or activities beyond what is stated in the applicant's written narrative, dated "Received August 14, 2014," on file with the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
4. Prior to an individual working and/or providing services at the facility, said persons shall complete and pass a criminal background check. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition.
5. Prior to an individual working and/or providing services at the facility, the applicant shall require said persons to undergo and pass first-aid and CPR training. The applicant shall ensure that these certifications are current at all times. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition.
6. Children 12 years of age and younger shall be escorted into and out of the facility and signed into and out of the facility by a parent and/or legal guardian.

7. Prior to issuance of a business license, the tutoring center shall prepare and submit a disaster plan for the tutoring center to the Planning Division and shall ensure that it is always in effect for the tutoring center.
8. All activities and gatherings shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes. The applicant shall inform all students to not loiter or make loud noises outside of the building.

Building and Safety Division

9. Prior to operation, the applicant shall submit tenant improvements plans, to the satisfaction of the Chief Building Official, that include and/or address the following:
 - a. Provide an egress plan.
 - b. Identify appropriate exits from the "snack room."
 - c. Identify the use of the "lounge" areas with occupancy loads.
 - d. Provide restroom and fixture counts for the new tutoring center occupancy load and
 - e. Explain the use, type and quantity of all chemicals that will be used on-site in the "lab."

The tenant improvement plans shall be subject to the review and approval of the Planning Division and Chief Building Official prior to issuance of building permits.

STANDARD CONDITIONS

Community Development Department

10. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
11. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Planning Division

12. The proposed use shall be in substantial conformance to Exhibit B, dated "Received August 14, 2014," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.
13. If the operation of this use results in conflicts pertaining to parking, interior noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said conditional use permit approval. Possible mitigation measures may include, but are not limited to, modifying the hours of operation, reducing the number of students on site at the same time, or other measures deemed necessary by the Planning Commission.
14. If the applicant wishes to relocate the use to a new address and/or suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
15. This Conditional Use Permit approval will lapse and shall become void one year following the date on which the use permit became effective, unless prior to the expiration of one year a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application, or a certificate of occupancy is issued for the structure which was the subject of the use permit application, or the site is occupied if no building permit or certificate of occupancy is required, or the applicant or his or her successor has filed a request for extension with the zoning administrator pursuant to the provisions of the Pleasanton Municipal Code Section 18.12.030.
16. The applicant, employees and/or volunteer staff shall maintain the area surrounding the building in a clean and orderly manner at all times.
17. This approval does not include approval of any signage for The Quarry Lane School. If signs are desired, The Quarry Lane School shall submit a sign proposal to the City for review and approval prior to sign installation.
18. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
19. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community

Development may allow earlier “start-times” or later “stop-times” for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.

20. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times these conditions of approval shall be on all construction plans kept on the project site.

Building and Safety Division

21. Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.
22. Tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work. The applicant shall pay any and all fees to which the proposed application may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
23. The building permit plan check materials for the proposed tenant improvements will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of approval, unless the applicant submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design and/or operation is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.

CODE REQUIREMENTS

Applicants/Developers are responsible for complying with all applicable Federal, State, and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.

24. The business shall comply with the Chapter 9.24 of the Pleasanton Municipal Code (Smoking in Public and Work Places).

25. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

26. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings or by Section 18.116.040 of the Zoning Ordinance if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.

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